IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.8.2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.28221 of 2007

Mr.K.Velu .. Petitioner

vs.

1.The Revenue Divisional officer,
Katpadi Taluk,
Vellore District.

2.The Thasildar,
Katpadi Taluk,
Vellore District. .. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent 1 & 2 to release the LMV Tractor and Trailor bearing Registration No.TN- 23H-8779 & TN-23H-8780, which is in the custody of the respondents, to the petitioner.

For petitioner : Mr.S.Mounaswaminathan
For respondent : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondents.

2. With the consent of the learned counsels appearing on either side, the writ petition is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondents are directed to release the LMV Tractor and Trailor bearing Registration No.TN-23H-8779 and TN-23H-8780 to the petitioner, on the following conditions:-

A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents before the Respondents.

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B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondent a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondents as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondents herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondents to seize the vehicle, without further notice to the petitioner.

5. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

ssv

To,

1.The Revenue Divisional officer,
Katpadi Taluk,
Vellore District.

2.The Thasildar,
Katpadi Taluk,
Vellore District.

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1 cc to Government Pleader, Sr. 54232
1 cc to Mr.S. Mounaswaminathan, Advocate, Sr. 54033

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